

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Arindam Datta

Application No.: 10/602,338

Filed: 06/24/2003

For: BIODEGRADABLE STENT



Group No.: 3731

Examiner: Uyen T. Ho

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(d))

Identification of Person(s) Making This Disclaimer

I, E. Richard Skula, represent that I am the attorney of record.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

DISCLAIMER
(Obviousness-Type Double Patenting Rejection Over A Prior Patent)

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Date: July 6, 2006_

/E. Richard skula, Reg. No. 31,061/

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* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent No. 6,537,312 as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

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Other than a small entity--fee \$130.00.

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Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 10-0750.

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A duplicate of this paper is attached.

Date: <u>July 6, 2006</u>	<u>/E. Richard Skula, Reg. No. 31,061/</u>
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